

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 1:14CR00021-001

Date: 2/9/2015

Defendant: Rebecca Jean Monk / Bond

Counsel: Nancy C. Dickenson, AFPD / Appointed

PRESENT:	JUDGE:	James P. Jones, USDJ	TIME IN COURT:	10:40 – 11:07 a. m.
	Deputy Clerk:	Lottie Lunsford		
	Court Reporter:	Bridget Dickert		
	U. S. Attorney:	Randy Ramseyer		
	USPO:	Jeremy Keller		
	Case Agent:	William Puckett		
	Interpreter:	N/A		

LIST OF WITNESSES

GOVERNMENT:

1. Rebecca Jean Monk
- 2.
- 3.
- 4.

DEFENDANT:

- 1.
- 2.
- 3.
- 4.

PROCEEDINGS:

- ☒ No Objections to Presentence Report.
- ☐ Court inquires as to Objection(s) to Presentence Report made by ☐ USA ☐ Deft.
☐ Court overrules Objection(s). ☐ Court grants Objection(s).
- ☒ Government presents evidence.
- ☐ Defendant presents evidence .
- ☐ No evidence presented.
- ☐ Court adopts Presentence Report.
- ☐ Court accepts Plea Agreement.
- ☐ Government Motion for Substantial Assistance.
☐ Court grants. ☐ Court denies.
- ☒ Defendant Motion for Downward Departure/Variance.
☒ Court grants. ☐ Court denies.
- ☐ Allocutions.

SENTENCE IMPOSED AS FOLLOWS:

CBOP:

PROB: Three (3) years.

SR: - comply w/Standard, Mandatory & Special Conditions.

☒ Mandatory drug testing suspended.

SA: \$100.00 due immediately.

FINE: \$_____

REST: To S. A. Geldstuck in the amount of \$34,980 and to TD Canada Trust in the amount of 9,990.00; Interest waived.

- ☐ Court recommends as follows:
- ☐ That Defendant receive appropriate drug treatment and/or mental health treatment while imprisoned.
- ☐ That Defendant be designated to _____.

SPECIAL CONDITIONS OF SUPERVISION (Check applicable conditions):

- ☐ The defendant shall participate in a program of testing and treatment for substance abuse, as approved by the probation officer, until such time as the defendant has satisfied all requirements of the program.
- ☐ The defendant shall participate in a program of mental health treatment, as approved by the probation officer, until such time as the defendant has satisfied all requirements of the program.
- ☒ The defendant shall reside in a residence free of firearms, ammunition, destructive devices and dangerous weapons.
- ☐ The defendant shall submit to warrantless search and seizure of person and property as directed by the probation officer, to determine whether the defendant is in possession of firearms and illegal controlled substances.
- ☒ The defendant must submit to warrantless search and seizure of person and property by the probation officer or other law enforcement officer, whenever such officer has reasonable suspicion that the defendant is engaged in criminal activity.
- ☐ Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant shall participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program.
- ☒ The defendant shall pay any fine, special assessment or restitution that is imposed by this judgment.
- ☒ The defendant shall not incur new credit charges or open additional lines of credit without the approval of the supervising officer.
- ☐ The defendant shall not purchase, possess, use or administer any alcohol, or frequent any businesses whose primary function is to serve alcoholic beverages.
- ☒ The defendant shall provide the probation officer with access to any requested financial information.
- ☐ The defendant shall be prohibited from engaging in certain banking activities pursuant to 12 U.S.C. § 1829(a).
- ☒ The defendant shall perform 200 hours of community service to be worked out with and approved by the supervising officer.
- ☒ The defendant shall participate in the Home Confinement Program under home detention for a period of four (4) months and shall abide by all program requirements. The defendant is restricted to his/her residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; or other activities pre-approved by the probation officer.
- ☐ While under home detention, the defendant shall submit to electronic monitoring and shall pay the costs of the electronic monitoring service.
- ☐ Within ___ days of release on probation/supervised release, the defendant shall register with the VA Dept. of State Police, Sex Offender Registry. The defendant shall also notify this agency within 30 days of any change of residence.
- ☐ Upon release from imprisonment, the defendant shall be delivered to an authorized immigration official for deportation proceedings and shall remain outside of the United States.
- ☐ See additional special condition(s) below.

PAYMENT SCHEDULE:

- ☒ A lump sum payment of \$100.00 is due immediately, and during the term of probation, payment in equal monthly installments of \$100.00, to commence 30 days after the date of this judgment;

ADDITIONAL RULINGS:

- ☐ Defendant shall forfeit his interest in the property listed in the Order of Forfeiture entered on (Date).
- ☐ Order of Forfeiture shall be made a part of the judgment in this case.
- ☐ Defendant shall be ineligible for all federal benefits for mos., yrs., permanently from the date of judgment.
- ☒ Count One (1) is dismissed pursuant to plea agreement.
- ☒ Defendant advised of right to appeal.
- ☐ Defendant remanded to custody.
- ☐ Defendant to remain on bond and self report:
 - ☐ to the U. S. Marshal no later than (time) on (date).
 - ☐ to the institution designated by the Bureau of Prisons as directed by the U. S. Marshal.
 - ☐ to the institution designated by the Bureau of Prisons as directed by the U. S. Probation Office.

Additional Information:

The court inquires of the government re: restitution and that Michelle Snyder is not a victim in the case and is not entitled to restitution as stated. Government also states that David Waines has been reimbursed by the bank, so no restitution is due Mr. Waines.